

*SPFW/JFS*

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
**46598-00007**

In Re Application Of: **Rao et al.**

OCT 18 2004

Application No. <b>09/811,766</b>	Filing Date <b>03/19/01</b>	Examiner <b>Michael V. Meller</b>	Customer No. <b>35161</b>	Group Art Unit <b>1654</b>	Confirmation No. <b>9295</b>
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Invention: **PROCESS FOR THE PREPARATION OF PROTEIN HYDROLYSATE FROM LEGUMES**

**COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of June 15, 2004 in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated June 15, 2004 finally rejecting Claim(s) 1 through 10, 12 and 14 through 18.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month       Two months       Three months       Four months       Five months

from: September 15, 2004      Date      until: October 15, 2004      Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$340.00

Fee for Extension of Time: \$110.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME:** \$450.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

A check in the amount of \$450.00 for the Notice of Appeal and extension of time is enclosed.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 04-1061.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 04-1061.

Payment by credit card. Form PTO-2038 is attached.

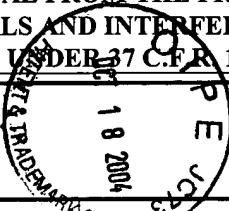
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09/811,766	03/19/01	Michael V. Meller	35161	1654	9295

Invention: **PROCESS FOR THE PREPARATION OF PROTEIN HYDROLYSATE FROM LEGUMES**

**TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

*Signature*

Dated: October 15, 2004

Thomas T. Moga, Registration No. 34,881  
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**Certificate of Transmission by Facsimile\***

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**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

October 15, 2004

*Signature of Person Mailing Correspondence*

**Thomas T. Moga**

*Typed or Printed Name of Person Mailing Correspondence*

\*This certificate may only be used if paying by deposit account.

CC: docketing